

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

## PCT

### WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/GB2004/004701

International filing date (day/month/year)  
08.11.2004

Priority date (day/month/year)  
06.11.2003

International Patent Classification (IPC) or both national classification and IPC  
H04Q7/32, G06F9/46, H04L29/06

Applicant  
INTUWAVE LIMITED

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1 bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/GB2004/004701

**Box No. I Basis of the opinion**

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
☐ This opinion has been established on the basis of a translation from the original language into the following language, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:  
☐ a sequence listing  
☐ table(s) related to the sequence listing
  - b. format of material:  
☐ in written format  
☐ in computer readable form
  - c. time of filing/furnishing:  
☐ contained in the international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/GB2004/004701

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**Box No. II Priority**

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1. ☒ The following document has not been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. ☐ It has not been possible to consider the validity of the priority claim because a copy of the priority document was not available to the ISA at the time that the search was conducted (Rule 17.1). This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

4. Additional observations, if necessary:

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**Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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1. Statement

Novelty (N)	Yes: Claims	2,5,7-19,21-30,34-36
	No: Claims	1,3,4,6,20,31-33,37,38
Inventive step (IS)	Yes: Claims	
	No: Claims	1-38
Industrial applicability (IA)	Yes: Claims	1-38
	No: Claims	

2. Citations and explanations

**see separate sheet**

**10/578767**

**AP20 Rec'd PCT/PTO 05 MAY 2006**

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING  
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/GB2004/004701

**Re Item V.**

- 1 The following documents are referred to in this communication:  
D1: US 2003/041154 A1 (TRAN TRUNG M) 27 February 2003  
D2: JSR 118 EXPERT GROUP: "Mobile Information Device Profile for Java  
<TM> 2 Micro Edition, version 2" JCP SPECIFICATION. JAVA 2  
PLATFORM, MICRO EDITION, MOTOROLA INC. AND SUN  
MICROSYSTEMS INC., 5 November 2002  
D3: WO 99/44137 A (SUN MICROSYSTEMS INC) 2 September 1999
- 2 The present application does not meet the criteria of Article 33(1) PCT, because  
the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

Document D1 discloses (the references in parenthesis applying to this document)  
A method of controlling access to a specific resource on a mobile telephone  
(paragraphs [0002] and [0021]); comprising the steps of:

associating an identity with a permission state, in which an identity is a label  
applicable to one of several entities on whose behalf the resource could potentially  
be used and the permission state defines whether or not the resource can actually  
be used (paragraph [0041]); and

allowing use of the resource solely to an entity or entities labelled with an  
identity associated with a permission state that does permit such use (paragraph  
[0045]).

Therefore, the subject-matter of claim 1 is not new (Article 33(2) PCT).

- 3 Moreover, the subject-matter of claim 1 does not involve an inventive step over  
the disclosure of document D2 (Article 33(3) PCT). Document D2 discloses a  
method of controlling access to a specific resource on a mobile telephone (see  
D2, page 501, first and second paragraphs) from which the subject -matter of  
claim 1 differs in the steps of:  
associating an identity with a permission state, in which an identity is a label  
applicable to one of several entities on whose behalf the resource could potentially  
be used and the permission state defines whether or not the resource can actually  
be used; and

allowing use of the resource solely to an entity or entities labelled with an identity associated with a permission state that does permit such use.

The problem to be solved by the present application may be therefore regarded as how to improve the mechanism of controlling access to resources to cope with a multi-entity environment.

However, these features have already been employed for the same purpose in a similar method for controlling access to a specific resource, see document D3 (see page 4, lines 20-26; page 5, lines 6-11 and page 6, lines 11-20). It would be obvious to the person skilled in the art, namely when the same result is to be achieved, to apply these features with corresponding effect to a method according to document D2, thereby arriving at a according to claim 1.

- 4 Since the subject-matter of independent claim 38 corresponds to the subject matter of claim 1, the same reasoning as given for claim 1 will apply mutatis mutandis.

Therefore claim 38 also does not meet the requirements of the PCT in respect of novelty and inventive step (Article 33(2) and (3) PCT).

- 5 Dependent claims 2-37 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT) because they are either disclosed or rendered obvious by the documents cited in the search report.